

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

JEFFREY MOATS,

Plaintiff,

V.

**NATIONAL CREDIT UNION
ADMINISTRATION BOARD,
A federal administrative agency;
TODD M. HARPER,
KYLE S. HAUPTMAN, AND
RODNEY E. HOOD,
In their official capacity
as Members of the National
Credit Union Administration Board;
And JENNIFER WHANG, in her
official capacity as an Administrative
Law Judge and Inferior Officer of the
United States**

Defendants.

Civil Action No. 3:23-CV-147

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

JURY TRIAL DEMANDED

NOTICE OF RELATED CASES

Pursuant to Local Rule 5.2 of the Southern District of Texas, Plaintiff Jeffrey Moats identifies the following related current or recent litigation and directly affected non-parties:

Current related litigation

Jeffrey Moats v. Edinburg Teachers Credit Union, Cause No. C-1141-23-F, currently pending in the 332nd Judicial District Court, Hidalgo County, Texas. This is Mr. Moats's lawsuit against his former employer, the Edinburg Teachers Credit Union, seeking post-termination benefits, and the Credit Union's counterclaims against Mr. Moats.

Prior litigation (dismissed without prejudice, December 16, 2021)

Jeffrey Moats v. Edinburg Teachers Credit Union and the National Credit Union Administration, Case No. 1:21-cv-496-JRN (W.D. Tex), as consolidated with, *Jeffrey Moats v. National Credit Union Administration Board*, Case No. 7:21-cv-377 (S.D. Tex). This was Mr. Moats's lawsuit against the Edinburg Teacher's Credit Union and suit for return of property against the National Credit Union Administration.

Directly affected non-parties

Though the Edinburg Teachers Credit Union is not necessarily directly affected by this litigation, this case does arise out of Mr. Moats's employment with the Edinburg Teachers Credit Union, and as noted above, Mr. Moats is currently suing the Edinburg Teachers Credit Union in Texas State Court.

Filed: May 30, 2023

Respectfully submitted,

/s/ Russell Hardin, Jr.

Russell Hardin, Jr.

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COUNSEL FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all registered parties. The defendants, who have declined to waive service—despite having an ongoing administrative proceeding against Mr. Moats and being in regular contact with his counsel—were served pursuant to Rule 4, and the special instructions posted on the website of the United States for the Southern District of Texas, as follows:

By email to: USATXS.CivilNotice@usdoj.gov.

By Certified Mail Return Receipt Requested to:

1. Civil Process Clerk, United States Attorney's Office, 1000 Louisiana St., Suite 2300, Houston, Texas 77002.
2. Jennifer Whang, 1775 Duke Street, Alexandria, Virginia 22314.
3. Jennifer Whang, 3501 North Fairfax Drive, Suite VS-D8116, Arlington, Virginia 22226.
4. National Credit Union Administration Board, Frank Kressman, Office of General Counsel, 1775 Duke Street, Alexandria, Virginia.
5. Kyle S. Hauptman, 1775 Duke Street, Alexandria Virginia 22314.
6. Todd M. Harper, 1775 Duke Street, Alexandria Virginia 22314.
7. Rodney E. Hood, 1775 Duke Street, Alexandria Virginia 22314.

/s/ John MacVane

JOHN MACVANE